


Councilmember Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Phil Mendelson, introduced the following bill, which was referred to the Committee on _____.

To require the Mayor to reevaluate the speed limits on various streets of the District of Columbia; to require an evaluation of whether an automated traffic enforcement system for speeding enforcement should be operated in-house; to prohibit automated traffic enforcement contracts on a commission-type basis; and to require that any fines from such a system be allocated to the Highway Trust Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Automated Traffic Enforcement Amendment Act of 2001".

Sec. 2. Title IX of the of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198, D.C. Code 40§751 et. seq.) is amended as follows:

(a) Section 902 (D.C. Code 40-752) is amended by adding two new subsections (e) and (f) to read as follows:

"(e) All fines and/or revenues derived from automated enforcement of speeding shall be deposited in the Highway Trust Fund."

"(f) Where an automated traffic enforcement system is used for speeding enforcement, it shall be a defense that the speed of the offender was within 5 mph of the average speed of the flow of traffic at the time of the offense."

(b) Section 903 (D.C. Code 40-753) is amended by adding the following new sentence

at the end:

"Before entering such an agreement or exercising an option on an existing agreement, the Mayor shall fully consider whether such activities could be done in-house and report thereon to the Council. Any contract shall be on a fee basis without a commission."

(c) Add a new "Sec. 904" to read as follows:

"Sec. 904. The Mayor shall reevaluate the speed limit on all District of Columbia streets segments that will be selected for automated speeding enforcement prior to use of automated speeding equipment, and he shall reevaluate within 120 days of the effective date of the Automated Traffic Enforcement Amendment Act of 2001 locations currently using automated speeding enforcement equipment."

(d) Add a new "Sec. 905" to read as follows:

"Sec. 905. The Mayor shall attempt to renegotiate the current contract for automated speeding equipment for compliance with section 903."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.